

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

KEVIN M. MOORE,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:10 CV 1905

Judge Solomon Oliver, Jr.

REPORT AND RECOMMENDATION

Magistrate Judge James R. Knepp II

This Court entered an Order on October 22, 2010 ordering Plaintiff to file his brief within 30 days after the date of that Order. (Doc. 9). On February 8, 2011, the Court issued a Show Cause Order, requiring Plaintiff to show cause by February 28, 2011 why this case should not be dismissed for lack of prosecution. (Doc. 13). Plaintiff responded to the Show Cause Order on February 25, 2011 (Doc. 15), and also filed a Motion for Extension of Time to file his brief (Doc. 14). This Court granted the Motion for Extension, gave Plaintiff until March 25, 2011 to file his brief, and indicated no further extensions would be granted. (Non-document entry dated February 28, 2011). Plaintiff did not comply with this deadline, and has not filed his brief as of the date of this Report and Recommendation .

Accordingly, the undersigned recommends the case be dismissed for lack of prosecution. *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-632 (1962) (recognizing district courts have the inherent authority to sua sponte dismiss an action for lack of prosecution).

s/James R. Knepp II
United States Magistrate Judge

ANY OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within fourteen days of service of this notice. Failure to file objections within the specified time WAIVES the right to appeal the Magistrate Judge's recommendation. *See U.S. v. Walters*, 638 F.2d 947 (6th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140 (1985).